

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: Bracco et al. Group Art Unit:
 Serial No.: 08/930,480 Examiner:
 Filed: September 29, 1997
 For: Conditional Expression System

To: The Honorable Commissioner of Patents and Trademarks
 Box PCT
 Washington, D.C. 20231
 Attn: EO/US

CERTIFICATE OF MAILING (37 CFR 1.10)

GB84071613X US

"Express Mail" Mailing Number

January 21, 1998

Date of Deposit

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Commissioner of Patents and Trademarks, Box PCT, Washington, DC 20231, Attn. EO/US.

Paula L. Dickey

(Type or print name of person mailing paper)

Paula L. Dickey

(Signature of person mailing paper)

SUBMISSION OF DECLARATION OF THE INVENTORS UNDER 37 CFR § 1.63

02/05/1998 PVO/LPE 00000043 NOV 14 1997 00530010
 01 FC:154 130.00 CH In response to the Notification of Missing Requirements Under 35 U.S.C.

371" mailed November 26, 1997 (a copy of which is attached); Applicants submit herewith the executed Declaration and Power of Attorney for the above-identified patent application.

Please charge Deposit Account No. 18-1982 in the amount of \$130.00 to cover the surcharge for providing the Declaration later than 30 months from the priority date. This sheet is provided in triplicate.

Applicants submit herewith a Petition for a one (1) month Extension of Time Under 37 CFR § 1.36(a), extending the period of response to the Notification to January 26, 1998.

Rhône-Poulenc Rorer Inc.
 P.O. Box 5093, Mail Stop 3C43
 Collegeville, PA 19426-0997
 Telephone: (610) 454-3839
 Facsimile: (610) 454-3808

Dated: 1/20/98

Respectfully submitted,

Paul F. Fehlner

Paul F. Fehlner, Ph.D.
 Attorney for Applicants
 Registration No. 35,135



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

21 JAN 1998
for file

08/930,480

U.S. APPLICATION NO.
08/930,480

BRACCO

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

L ST95021-US

5621

INTERNATIONAL APPLICATION NO.

PCT/FR96/00477

PAUL F FEHLNER
RHONE-POULENC RORER INC
LEGAL PATENTS, #3C43
P.O. BOX 5093 COMPUTER ENTERED
COLLEGEVILLE PA 19426-0997

Reply Due - 12/26/97
DATE MAILED: 11/26/97

I.A. FILING DATE

PRIORITY DATE

03/29/96 03/31/95

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as:

a Designated Office (37 CFR 1.494),

an Elected Office (37 CFR 1.495):

U.S. Basic National Fee.

Copy of the international application in:

a non-English language.

English.

Translation of the international application into English.

Oath or Declaration of inventors(s) for DO/EO/US.

Copy of Article 19 amendments.

Translation of Article 19 amendments into English.

The International Preliminary Examination Report in English and its Annexes, if any.

Translation of Annexes to the International Preliminary Examination Report into English.

Preliminary amendment(s) filed 29 SEP 1997 and _____

Information Disclosure Statement(s) filed _____ and _____

Assignment document.

Power of Attorney and/or Change of Address.

Substitute specification filed _____

Verified Statement Claiming Small Entity Status.

Priority Document.

Copy of the International Search Report and copies of the references cited therein.

Other:

2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a large entity small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY 21 OR 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed: PCT/DO/EO/917 Notice of Defective Translation
 PTO-875
FORM PCT/DO/EO/905 (September 1996)

DRM Michelle Reed Mosley
Paralegal Specialist
Telephone: (703) 305 3735